

ORDINANCE NO. 4336

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADDING A NEW DIVISION I (“PRE-ARREST YOUTH DIVERSION POLICY”) AND ARTICLE XI (“LAW ENFORCEMENT POLICY”) TO CHAPTER 2 (“ADMINISTRATION”) OF THE CITY OF POMONA CITY CODE CONCERNING ESTABLISHMENT OF A PRE-ARREST YOUTH DIVERSION POLICY BY THE POMONA POLICE DEPARTMENT

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF POMONA AS FOLLOWS:

SECTION 1. Findings.

A. The City of Pomona recognizes the value of youth diversion as an intervention that redirects juvenile correction system responses to prevent a young person’s involvement or further involvement in the justice system.

B. The City of Pomona has supported and continues to support youth diversion programs offered by the County of Los Angeles.

C. The City of Pomona Police Department began discussing with community leaders about memorializing a commitment to youth diversion programs.

D. Based on those discussions and all of the following facts, the Pomona Police Department desires an ordinance to demonstrate its commitment to continuing to participate in youth diversion programs:

1. Evidence suggests that diverting young people from the juvenile justice system as early as possible is a promising practice.
2. When implemented well, youth diversion programs can improve outcomes for youth otherwise at risk for long-term involvement in the justice system and the associated damage to their health.
3. Effective and equitable youth diversion can also reduce recidivism within the community, reduce system costs, creator stronger economic outcomes among diverted youth and improve public safety
4. A youth diversion program creates positive youth development that includes but is not limited to: competence, confidence, connection, character, and care for young people.

SECTION 2. A new Division 1 of a new Article XI shall be added to Chapter 2 of the City of Pomona City Code to read as follows:

“ARTICLE XI. – LAW ENFORCEMENT POLICY”

DIVISION 1. - PRE-ARREST YOUTH DIVERSION POLICY

Sec. 2-1200. Purpose.

The policy required by this division is intended to ensure a long-term commitment to participate in pre-arrest youth diversion programs to ensure standard practices are followed for the purpose of reducing the overall numbers of youth arrests, referrals to probation and petitions filed so as to improve health, academic, and social outcomes for youth otherwise at risk for long-term involvement in the justice system.

Sec. 2-1201. Establishment of Pre-Arrest Youth Diversion Policy.

The City Council does hereby declare its support of pre-arrest youth diversion programs. A policy providing for participation in such programs shall be set forth in a Resolution adopted by a majority vote of the entire membership of the City Council at an open and public meeting. Prior to adopting the Resolution required by this Section or prior to making any future amendments thereto, the City Clerk shall publish notice of a public hearing at least ten days in advance of the scheduled City Council meeting at which the Resolution or any amendments thereto are proposed. Any such amendments shall also be adopted by a majority vote of the entire membership of the City Council at an open and public meeting.

SECTION 3. Severability.

If any or portion of this ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, the remainder of the ordinance remains in effect.

SECTION 4. Notice.

The city clerk shall cause this ordinance to be published in a newspaper of general circulation published and circulated in the city within 15 days after its passage.

SECTION 5. Adoption and Effective Date.

The city clerk shall attest to the passage and adoption of this ordinance, causing it to be posted as required by law. This ordinance takes effect 30 days after its adoption.

PASSED, APPROVED AND ADOPTED this 21st day of August, 2023.

CITY OF POMONA:



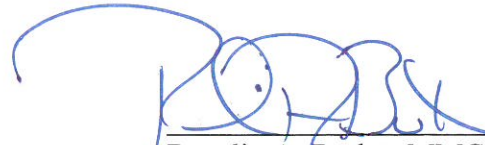
Tim Sandoval
Mayor

APPROVED AS TO FORM:



Sonia Carvalho
City Attorney

ATTEST:



Rosalia A. Butler, MMC
City Clerk

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, DIANA ROBLES, DEPUTY CITY CLERK of the City of Pomona do hereby certify that the foregoing Ordinance was introduced for first reading at a regular meeting of the City Council of the City of Pomona held on August 7, 2023 and was adopted at second reading at a regular meeting of the City Council of the City of Pomona held on August 21, 2023, by the following vote:

AYES: Garcia, Lustro, Nolte, Ontiveros-Cole, Preciado, Torres, Sandoval
NOES: None
ABSENT: None
ABSTAIN: None



Diana Robles
Deputy City Clerk